PROCLAMATION

Whereas, by initiative petition of the legal voters of the City of Med-ord. Oregon, there were duly sub-ditted to the people of said city at the Annual Election duly held in and for said city on the 9th day of anuary, 1917, the following pro-January, 1917, the following pro-posed acts of Municipal Legislation:

posed acts of Municipal Legislation: First, entitled: "An Act to amend the Charter of the City of Medford, Gregon, by adding thereto Section 140, known as "The Medynski Plan," permitting the Council to construct pavement under a special tax lewy; creating a pavement fund for the con-struction and maintenance of such pavement; declaring all public pave-ment assessed heretorfore by the city. ment assessed heretofore by the city against private property to be publi against private property to be public necessities, and assuming payment therefor; authorizing general obliga-tion bonds; providing for refunds of payments heretofore made, by time warrants, and payment and redemp-tion of indebtedness; providing for a low for a sympatic providing for a levy for an annual special tax to pay

said bonds, warrants and interest Second, entitled: "A proposed Or-dinance, known as "The Medynski Madynaki

nance, known as The Medynski an," amending and supplementing ordinances authorizing the issu-ce and sale of bonds to pay the cost pavement construction in said y; to authorize the Council to is-e and sell \$560,000.00 general lightion 5% city bonds to y the outstanding avement in obligation 5% city bonds to pay the outstanding pavement in-debtedness; to refund, in time war-rants, \$370,000.00, the amount that has been paid on the original in-debtedness; providing for the details of making the refunds of assessments and payment of outstanding in-med to provide for canand payment of outstanding in-debtedness, and to provide for can-

cellation of pavement liens when the said bonds shall have been sold." said bonds shall have been sold." And Whereas, by initiative petition of the legal voters of the City of Medford, Oregon, and by resolution of the city council of said city, there was duly submitted to the people at the Annual Election duly held in and for said city on the 9th day of Jau-uary, 1917, the following proposed act of Municipal Legislation: Third, entitled: "An Act to amend

act of Municipal Legislation: Third, entitled: "An Act to amend the Charter of the City of Medford, Oregon, by adding thereto a new Chapter of 21 Sections, relating to special assessments for local improve-ments heretofore levied and assessed, known as "The Hanson Plan"; pro-viding for the collection thereof and the enforcement of such lens and asthe enforcement of such liens and as-sessments; providing the manner of foreclosure losure, sale and redemption, penalties and interest, of propwith with penalties and interest, of prop-erty assessed for such local assess-ments; providing for the issuance and sale of refunding bonds therefor, the extension of time in which to re-deem such bonds, and the method and time of their refirement." And Whereas, the recorder of said city has in my presence and in the

city has, in my presence and in the presence of the city council, duly canvansed the returns of said election and it has been determined thereby the total number of votes cast at that the total number of votes cast at said election was 1784; that the to-tal number of votes cast in favor of the first of said acts of Municipal Leginlation, above referred to, was 555 and that the total number of votes cast against the same was 951; they the total number of votes cast that the total number of votes, cast in favor of the second of said acts of Municipal Legislation, above referred to, was 555 and the total number of votes cast against the same was 555; that the total number of votes cast in favor of the third of said acts of Municipal Legislation, above referred to, was 1079 and the total number of votes cast against the same was 456; and it further appearing that the third of said acts of Municipal Legis-lation received an affirmative ma-Municipal Legislation, above referred thing of said acts of a duncing begin lation received an affirmative ma-jority of all the votes cast at said election, and that the first and sec-ond of the said acts of Municipal Legislation received a negative ma-jority of all the votes cast at said dusting.

Now therefore, by virtue of the power vested in me as Mayor of the City of Medford, I. V. J. Emerick, do hereby issue this proclamation to the hereby issue this proclamation to the people of said city and do hereby de-clare that the votes cast in favor of and against each of said acts of Mi-nicipal Legislation was as above set forth, and that the third of said acts of Municipal Legislation above re-ferred to, received an affirmative ma-jority of all the votes cast at said election, and 1 do hereby declare the third of the above acts of Municipal

e city consolidated Lien Docket. Section 140. That all special assessments mentioned in the preced-ing section shall, by ordinance be transferred to and entered upon a consolidated lien docket in which matered: and of the property subject to such as-the property and the amount of the upon the amount of the matered balance be and the property and the amount of the model of such consolidated in the property and the amount of the model of the property and the amount of the model of the property and the amount of the model of the property and the amount of the model of the property and the amount of the model of the property and the amount of the model of the property and the amount of the model of the property and the amount of the model of the property and the amount of the model of the property and the amount of the model of the property and the amount of the model of the property and the amount of the model of the property and the amount of the model of the property and the amount of the the the such as the s

azzessed: (b) the street and nature of im-provement for which such assessment was made and the number of the or-dinance declaring such assessment; (c) the name of the person to whom massessed a number of the person to how the imitation by law as to indebit the limitation by law as novided in as (c) the name of the person to whom assessed as appearing on the

original assessment roll the sum originally assessed there against

the limitation by law as to indecide ness of said city as provided in sec-tion 72 of this charter. Whenever there shall be sufficient money in such fund over and above sufficient for the payment of interest on all such unpaid bonds to pay the princi-pal of one or more bonds, the freas-urer shall call in and pay such bonds. the date of the entry on the t lien docket and the volume pal and page thereof; (f) the unpaid principal of such

alty.

Installment Payments, Interest, Penassessment: (g) the date from which interest emains unpaid upon such unpaid

remains principal.

Section 144. Annual or semi-an-nual installments, or interest pay-ments, which shall remain unpaid at neral s to t in-war-taxes assessed and levied in favor of the city and the amounts of the the expiration of the time fixed for such respective payments shall there-upon become delinquent, and shall upon become delinquent, and shall bear a penalty of five (5%) per cen-tum upon the amount of such delin-quency, in addition at the bond rate upon the principal sum so delinquent. For such purpose, if any interest pay-ment during the first three years as been accorded, shall become duffin unpaid assessments, including inter-est therein docketed, shall be paid and the liens thereof enforced as in st therein docks-and the liens thereof enfor-this act provided and shall be and this act provided and shall be and this act provided and shall be and of land, or other property, respec-tively, in favor of the city, and such liens shall have priority over all other liens and incumbrances what-seever. Junction of Fund, seever. Junction of the city and such liens shall have priority over all seever. Junction of Fund, seever. Junction of the city and such seever. Junction of the city and such seever. Junction of the city and such seever. Junction of the subject to such pen-alty and interest and penalty shall be included in, and shall be a part of the assessment lien. Junction of the time fixed for annual or semi-annual pay the Treasurer shall make re seeder of the sum

Consolidated improvement of streets by the base sment near the assessment near the time shall by ordinance create a consoli-dated improvement district compris-dated improvements of streets by the theorem of the sums ing all improvements of streets by paving and otherwise and the con-struction of sewers and watermains heretofore made where any apecial assessments remain unpaid, and shall create a consolidated improvement district fund comprising the same. district fund comprising the same.

Notice of Collection of Assessment. Section 142. The owner of any penalties, into lot, tract or parcel of land charged act provided. lot, tract or parcer of and charged with any such assessments heretofore levied and assessed may redeem the same from all or any portion of such Hability by paying the entire assess-ment or any portion thereof charged context such lot or exceed of here against such lot or parcel of land within fifteen (15) days after notice to him of such assessment, which no

to him of such assessment, which no-tice shall be given as follows: The City Treasurer shall, as soon as the date shall be fixed for the payment in whole or in part of such assessments with interest, give notice by publica-tion, that the consolidated lien docket is in his hands for collection and that any assessment thereon with interest purchasers, and assessment dee the persons thereunto entitled. any assessment thereon with interest to the date fixed or any portion there-of may be paid at any time during with said date, the date of first publi-cation of which notice shall be at least fifteen (15) days prior to said date, and that thereafter the sum re-elinquent, with the amount of the as-costs, to date of sale, together with maining unpaid shall become due and may able during the lifteen day me-erty words "Unknown Ownany assessment thereon with interest erty, or the words "Unknown Own-ers," as the same may appear upon said consolidated docket, and shall payable during like fifteen day pe-riods as herein provided in annual or semi-annual payments as the case

semi-annual payments as the case may be. The refunding bonds herein pro-vided for shall not be issued prior to twenty (20) days after the expira-tion of the fifteen (15) days above mentioned but may be issued at any time thereafter. The owner of any such hot or parcel of land so assessed may redeem the same from all liabil-ity for the unital amount of such as the first seesions. Such that the property therein described will be sold to satisfy the assess-ments, interests, penalties and costs, the upon the same. All such sales that be made between the hours of the o'clock a. m. and four o'clock p. m. and shall take place at the front the first seesions. Such door of the building in which the City Council holds its sessions. Such sale shall be continued from day to day, omitting Sundays and legal hol-days, until all the property described in said consolidated lien docket on which any such assessment, or in-tallment theorem. such for or parter of finds so assessed may redeem the same from all liabil-ity for the unpaid amount of such assessment at any time after said date by paying said unpaid amount with interest thereon to the date of the next interest payment on the bonds issued scalars such consolibonds issued against such consoliwhich any such assessment, or stallment thereof, is delinquent dated improvement district. All sums trainment increase, is definition and unpaid is sold. All such sales shall be public, and each lot, tract or par-cel of land, shall be sold separately and in the order in which the name appears upon the consolidated Hen definition of the bardwine. paid upon such assessments shall be paid to the City Treasurer and by credited to the consolidated

rerréd to, received an affirmative ma-jority of all the votes casi at said election, and I do bereby declare the third of the above acts of Municipal Legislation to be in full force and ef-publication of this proclamation as required by law; and that the follow; ing is a full the and text of said Act whole thereof: CHARTER AMENDATES docket commencing at the beginning thereof All lots, tracts and parcels of land sold for delinquent and unpaid local assessments, shall be sold to the first person at such sale offering to pay the amount due on each such lot, tract or parcel of land. If there be no bidder for any lot, tract or parcel

Inder for any lot, tract or parce land, for a sum sufficient to pay delinquent and unpaid assersim thereon or installment thereof w interest, penalty and coats the

for any such certificate in like manne after the expiration of such period o two years from the date of certificate. Liability of Treasurer, ion 148. If the treasurer

Section 148, if the treasurer, section 148, if the treasurer shall cocive any moneys for assessments, iving a receipt therefor, for any propgiving a orty and afterward return the rty and atterward return the same as mpaid, or shall receive the same after making such return, and the same be old for assessment which has been so at and receipted for by highest, his is to or deputy, he and his boal chall a linkle to the holder of the certifial-1 nud boud chall ate given to the purchased at the sale or the amount of the face of the cor-

for the amount of the face of the c-r tiffente, and legal interest to be de-manded within two years from the crite of sale and resourced 'n any court herving jurisoletion of the amount, and the city shall in no case be liable to 'he holder of such certificate.

Record of Payment, Section 149. Whenever before the sale of any property the amount of any assessment thereon, with interest, penassessment offstear with moreau per-aty, conta and charges accured there-on, shall be paid to the treasurer, he shall thereon mark the same paid, with the date of payment thereof, on the consolidated lion docket, and when-over after the site of any property wer after the sale of any or any assessment the same edecmed, he shall thereupon c ame redeemed with the date redemption on such record. Such records shall be made on the margin of the record opposite the description

of such property.

Property Held in Trust. Section 150. Whenever the prop-erty shall be did in by the city or be stricken off to the city under and by paid and upon what property and of the sums unpaid. The Recorder shall thereupon issue his warrant in form approved by the City Attorney to the City Treasurer commanding him to sell all property so delinquent for the amount of such delinquency, with stricken off to the city under and by virtue of any proceeding or pro-ceedings provided in this act said property shall be held in trust by said city for said fund to the extent of the amount of the assessment or instali-ment for which said property was sold, with spenalty, accrued interest, and in-terest on said installment to time of next call for bonds or warrants: Pro-vided however such city may at any amount of such delinquency, with penalties, interest and costs as in this

Sales for Delinquent Assessments. Sales for Delinquent Assessments. Section 145. Thirty (20) days after any such annual or semi-annual installment or payment shall have be-come delinquent, the City Treasurer shall proceed to sell the property de-scribed on said consolidated lien docket so delinquent and unpaid, for the amount of such delinquency to-gether with penalty and interest ac-cruing to date of sale, and for the costs of such sale. He shall execute and deliver certificates of sale to the purchasers, and assessment deeds to vided, however, such city may at time after the procuring of a deed into such fund the amount of the ATT into such fund the amount of the de, linquent assessment for which said property was sold and all accrued in-terest and interest to the time of the port call for bonds issued against such fund at such bond rate, and thereupon while to be and head a sold account of the shall take and hold said property dis charged of such trust.

Sale of Property Held in Trust. deeds to Section 151. The city may at any time after the period of redemption sale

has expired and deeds issued to elty ty under and by virtue of any sediags mentioned in this act, pri ceedings mentioned in this act, sell any such property at public auction to the highest bidder for any amount less than the amount set forth in said deed, plus accrued interest to date of sale, computed on the assessment for which said property was sold from the date of the execution of said deed, and all the dolument assocsments and taxes that delinquent assessments and taxes that nay stand against said property with may stand against said pro-accrued interest thereon, costs and other charges, an eity shall pay into said fund said property was held in much thereof as shall fully much thereof as shall fully ponalties ind for which in trust so ily cancel the

and property on the day specified at the making of such inprovement, the difficient to allog the passament to allog there are such and the day specified at the making of such inprovement, the making of such inprovement, the making of such inprovement, the making of such insection to allog the passament of install from door of the building in which the terry from all from the real specified at the terry of the assessment, the constraint of the stream of the str

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which period
the name of the City of Medical, The one of the city council shall provide for the space of the consolidated in the provide in the proprovement provide in the properity in the p

itens of general three meters sessments. The deed shall be executed in the name of the city; shall recite in sub-stance the matters contained in the certificate of sale, the notice to the been made of the property within the time allowed by law. The deed shall time allowed by law. The deed shall owner, and of the property within the been made of the property within the clinac allowed by law. The deed shall be algued and acknowledged by the Cliv Treasurer, as such, and shall be prima facte evidence that the property was assessed according to and as re-quired by law; that the assessment was not paid: that the property was sold as required by law; that it was not redeemed; that due notice of demand for deed had been given, and that the person executing the deed shall be for deed had been given, and that it was not redeemed; that due notice of demand for deed had been given, and that the person executing the deed was the proper officer; and the deed shall be conclusive evidence of the regularity of an other proceedings from the as-essment up to and including the evesessment, up to and including the exe-cution of the deed, and shall convey

the entire fee simple title to the prop the entire lee simple the to the prop-ent therein described, except as other whe provided herein for the city, a stripped of all liens and elaims except taxes and assessments for local im-provements or installments thereof, not delinquent. Such deed, at the expiration of one every from the lisenance, shall in all real

year from its issuance, shall in all re-spects become absolute, and no suits of any kind or character shall be mainof any kind of character shart we man-tained or shall set aside or annul the safe of said property for said lien. In case any sale of property shall be va-cated or set aside or declared vold by any coart within the time herein limit-od because of any irresultation of deany court within the time berein limit, ed, because of any irregularity or de fect in the proceeding leading up to the levying of the assessment, whereon same is based, or in the collection thereof, or the proceedings leading up to the sale of said property the city thereof, of the proceedings leading up to the sale of said property the city shall, upon the application in writing setting forth said facts with a certi-fied copy of such judgment or decree attached thereto, repay to the pur-chaser at said sale, or his assigns, the summer raid by him at said sale to amount paid by him at said sale, gether with all special assessment assessments, Interests, penalties, and costs thereon paid by him at or since such sale with interest there on at the rate of six

(6) per centam per The City Treasure (6) per centum per annum. The City Trensurer shall charge for the issuance of each certificate of sale the sum of fifty cents; for each deed

by or parcel of property delinquent, but ten days before the date of said hear-all or any part of the property ing. At said hearing the council shall con-any of the owners or persons of such assessment, and if after con-interested in any of the property aldering the council shall con-interested in any of the property aldering the matter the council shall defind the matter the council shall defined in the action to foreclese, and all or any liens for such delin-erty has been specially benefited there bet any cause the could be the the the the the property and the matter the council shall be action to foreclese.

ant paid force and effect, and to be collectible tale, and in the manner which is now or may its from hereafter he provided by law and this by him from the date of said sale, and upon such subsequent payments from the date of the payment of the re-spective amounts. charter

Local Assessments to Be Included in

Local Assessments to Be included in Certificates of Delinquency for General Taxes, Section 155. The holder of any cer-tificate of, delinquency for general taxes shall, before commencing any action to foreclose the lien of such certificate pay in full all local assess-ments or installments thereof out Uncate pay in full all local assess-ments or installments thereof out-standing against the whole or any por-tion of the property included in such certificate of delinquency, or, he may elect to proceed to acquire title to such property subject to certain or all local assessments as liens thereon, in which case the compaging decree of forcelors. case the complaint, decree of foreclosure, order of sale, sale, certificate of sale and deed shall so state. If such

annum on the original an

eral taxes for which the same was sold, and the remainder, or such por-Was soid, and the remainder, or such po-tion thereof as may be necessary, shall be paid to the city to discharge all lo-cal assessment liens upon such prop-erty, and the surplus, if any, shall be distributed among the proper county conducts.

Reassessments.

Reassessments. Section 156. Weie, were heretofore or hereafter the council has caused or may cause, any street or alley to be improved, or has caused any sewer or waternain to be faid and has, or may becaution may a atomic to assess acts. hereafter assess or attempt upon the property adjacent benefitted thereby the cost of such

benefitted thereby the cost of such improvement, and said assessment by reason of any failure to give any vequisite notice or by reason of any other defect in the proceedings lead-ing up to the making of such im-provement or the levying of such as-sessment shall be declared to be void by any court, or if the council shall be of the opinion that said assessment is illegal or doubtful by reason of any

be of the opinion that said assessment is illegal or doubtful by reason of any such omission or defect, said council may cause the cast of said improve-ment to be re-assessed against the property adjacent to said improvement or benefited thereby, in the following

manner: The council shall declare by iution its intentions to make such re-assessment, which resolution shall briefly describe the improvement, and (6) per centum per anom. The City Treasurer shall charge for the issuance of each certificate of sale the sum of fifty cents; for each deed the sum of one dollar. Foreclosure, Soction 153. The City may proceed with the collection or enforcement of any delinquent assessment, or delli-quent installment, whether the same per sum of the council at while her the same of the council at while her same of the council assessment, or delli-against each parcel. Said resolution shall fix the time and place for holding a meeting of the council at while her a meeting of the council at while her same of the council at while her same of the council at while her a meeting of the council at which all protests against re-assessing the costs of said improvement against adjacent property, or property benefited there-by, shall be heard. Said resolution shall be published, the date of the first unbilastics of which shall be at least property, or property occurrence to the by, shall be heard. Said resolution shall be published, the date of the first publication of which shall be at least ten days before the date of said hear-

at the rate of fifteen (15) per cent by declared to be valid and in full Assessments Paid by Joint Owner,

Assessments that by sourt owner, section 159. Whenever any local as-remment, or installment thereof, shall be paid, or any certificate of sale therefor be redeemed, or any judgment therefor be mid by any joint owner of any property assessed for any local improvement, such joint owner may, after demand and refusal, by an action brought in the circuit covert recover brought in the circuit court, recover from each of his co-owners the respec-tive amounts of such payment which The amounts of such payment which oach such co-owner should bear, with interest thereon at ten (10) per cent per annun from the date of such pay-ments, and costs of the action, and the joint owner making such payment shall have a lien therefor upon the undi-vided interests of his co-owners in and to such property from date of such navassess. to such property from date of such pay

City May Purchase at Tax Sale.

Section 160. Whenever any prop-erty situate in the city shall be of-fered for sale for general taxes, the city shall have the power to protect the hen or liens of any local assess-ments outstanding against the whole or any portion of such property by purchase or otherwise.

Acts Repealed, Section 161. All acts at Section 161. All acts and parts of acts both state law and City charter in conflict herewith are hereby re-pealed; and all acts or parts of acts, either general or special in conflict herewith, are hereby repealed in sociar is thus conflict herewith or restrict as they conflict herewith or restrict the powers or duties hereby conferred apon said city or its Mayor or Council upon said city of its analyse of content or other officers. Any acts of parts of acts herein repealed which are re-enacted in form or substance in this act shall not be construct as new enactments, but as continuations and amendments of such acts or parts of acts.

Publication. Section 162. When this act requires notice by publication, such notice shall be published once in a newspaper pub-lished in said city and of general cir-culation therein, except as otherwise in this act provided. Notice to be Mailed

Notice to be Mailed. Section 163. In all cases of assess-ments or installments thereof becom-ing due and payable the city treasurer shall mail to the owner of the property assessed a copy of the notice required to be published when the post office address o such owner is hown and address of such owner is known, and failure to mail the same shall not be fatal when publication is made

fatal when publication is made. Assessments Paid in Error. Section 164. Whenever, through er-ror or inadverdance, any person shall pay any local assessment, or install-men, thereof, upon the lands of an-other, such payor, may, after demand and refusal, by an action in the Circuit Court, recover from the owner of such lands the amount so paid, and costs of the action.

the action. New Paving Based on Petition Only. Section 165. After mis act shall be-come effective, the city council shall not have power to levy special assess-ments for paving hereafter to be made except upon petition signed by tho owners, according to the records in the office of the county recorder, of prop-erty to an asgregate amount of a ma-jority of the lineal frontage upon the improvement to be made and of the area within the limits of the assess-ment district to be created therefor. Acts to be Liberally Construed. the action.

Acts to be Liberally Construed. Section 166. The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this act, but the same shall be liberally construed for the purpose of carrying out the objects for which this act is intended.

Discharge of Liens. Section 167. Entries of Section 167. Entries of payments of assessments and of installments, interest and costs made under the pro-visions of this act shall be made in visions of this act shall be made in the consolidated lien docket atoresaid as the same shall be received, with the date thereof, and such payments made and entered in said consolidated lien docket shall be and operate as a dis-charge of such lien, to the amount of one of such lien, to the amount of such payment, and from the date there

of Subsequent Liens

Enforcement of Subsequent Liens Authorized, Section 168. The enforcement of the lien of any installment or interest paylien of any installment or interest pay-ment by any method herein authorized shall not prevent the enforcement of the lien of any subsequent installment or interest payment by any method hereir authorized when the same shall become delinament secome delinquent.

Pending Proceedings. Section 169. If any proceedings thall be pending for the enforcement of the den or liens of any delinquent assessment or assessments for paving owers, or watermains at the time this act becomes effective the city may pro ceed with the enforcement of

quent installment, whether the same become a lien after this act shall be-come effective, or prior thereto, by proceedings in court therefor in an ac-tion brought in its own name in the Circuit Court of Jackson County. It shall not be necessary to bring a sepa-rate suit for each such separate plece or encred of concerty delinement but or parcel of property delinquent, but all or any part of the property

All lots tracts and parcels of land

remarks and other remaining defendings and property in the different 15%) per cent per different of the anomar of the amount of the more of the amount of the first of fifteen (15%) per cent per different of the amount of the amount of the more of the amount amo time of the taking effect of this act. Outstanding Certificates of sale, Section 170. The holder or holders of any outstanding certificate of sale heretofore issued for special assess-ments for paving, sewera, or water-mains may proceed with the enforce-ment of the liens of such special assess-ments under the provisions of law and the city charter and ordinances of said city existing at the date this act becomes effective. Dated at Medford, Oregon, this 12th day of January, 1917. (Signed) V. J. EMERICK, Attest: Mayor.



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